

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY *JF* D.C.
05 MAY -9 AM 11:04

ROBERT A. GILLO
CLERK, U.S. DIST. CT.
W. D. OF TN. MEMPHIS

MEMPHIS-SHELBY COUNTY
AIRPORT AUTHORITY,
ILLINOIS VALLEY PAVING
COMPANY, and JACO AIRFIELD
CONSTRUCTION, INC.,

Plaintiffs,

v.

Civil Action No. 03-2649-B-P ✓
CONSOLIDATED

UNITED STATES FIRE INSURANCE
COMPANY,

Defendant.

ONEBEACON AMERICAN INSURANCE
COMPANY f/k/a COMMERCIAL UNION
INSURANCE COMPANY and AMERICAN
CENTRAL INSURANCE COMPANY,

Plaintiffs,

v.

Civil Action No. 04-2432-B-P

JACO AIRFIELD CONSTRUCTION, INC.,
f/k/a JACO ELECTRIC, INC., a Georgia
Corporation, and MEMPHIS-SHELBY COUNTY
AIRPORT AUTHORITY, and ILLINOIS
VALLEY PAVING COMPANY, an Illinois
Corporation,

Defendants.

AMENDED RULE 16(b) SCHEDULING ORDER

Pursuant to the scheduling conference on March 17, 2005, the following dates are
established as the final dates for:

AMENDING PLEADINGS:

June 15, 2005

COMPLETING ALL DISCOVERY:

January 16, 2006

(a) REQUESTS FOR PRODUCTION, INTERROGATORIES, and REQUESTS FOR ADMISSION:

To be served such that all answers and responses are due on or before
September 1, 2005

(b) EXPERT DISCLOSURE (Rule 26(a)(2)):

(i)	Plaintiffs' Experts:	September 15, 2005
(ii)	Defendants' Experts:	October 15, 2005
(iii)	Supplementation under Rule 26(e):	October 30, 2005

(c) DEPOSITION OF EXPERTS:

January 16, 2006

FILING DISPOSITIVE MOTIONS:

February 15, 2006

FINAL LISTS OF WITNESSES AND EXHIBITS (Rule 26(a)(3)):

(a)	For Plaintiffs:	45 days before trial
(b)	For Defendants:	30 days before trial

Parties shall have 10 days after service of final lists of witnesses and exhibits to file objections under Rule 26(a)(3).

The trial of this matter is expected to last four days. The matter is set for a jury trial on May 15, 2006. A joint pretrial order, proposed jury instructions, and motions in limine are due by 4:30 p.m. on May 2, 2006. In the event the parties are unable to agree on a joint pretrial order, the parties must notify the court at least ten days before trial. The pretrial conference is set for May 9, 2006 at 9:00 a.m.

OTHER RELEVANT MATTERS:

Interrogatories, Requests for Production, and Requests for Admission must be submitted to the opposing party in sufficient time for the opposing party to respond by the deadline for completion of discovery. For example, if the FRCP allow 30 days for a party to respond, then the discovery must be submitted at least 30 days prior to the deadline for completion of discovery.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or service of the response, answer, or objection that is the subject of the motion if the default occurs within 30 days of the discovery deadline, unless the time for

filing of such motion is extended for good cause shown, or any objection to the default, response, or answer shall be waived.

The parties are reminded that, pursuant to Local Rule 7(a)(1)(A) and (B), all motions, except motions pursuant to FRCP 12, 56, 59, and 60 shall be accompanied by a proposed Order and a Certificate of Consultation.


The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties may consent to trial before the Magistrate Judge. The Magistrate Judge can normally provide the parties with a definite trial date that will not be continued unless a continuance is agreed to by all parties, or an emergency arises that precludes the matter from proceeding to trial.

The parties are ordered to engage in court-annexed attorney mediation or private mediation before the close of discovery.

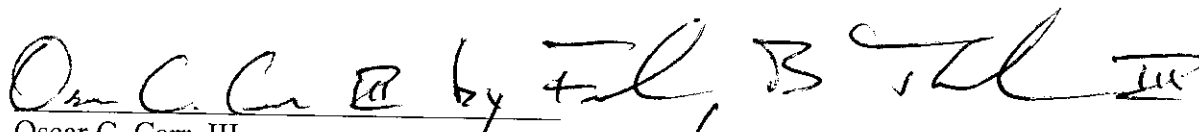
This Order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this Order will not be modified or extended.

IT IS SO ORDERED.


J. DANIEL BREEN
UNITED STATES DISTRICT JUDGE


May 6, 2005
DATE

APPROVED:


w/ permission

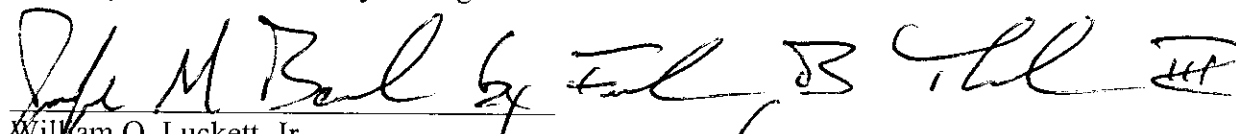
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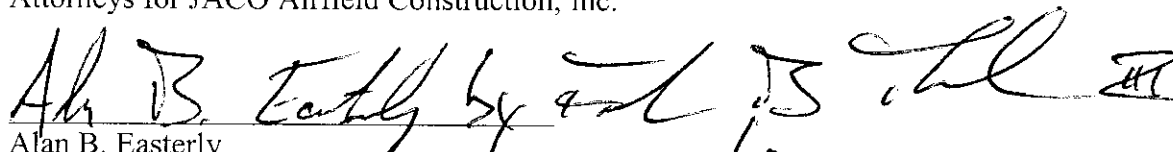
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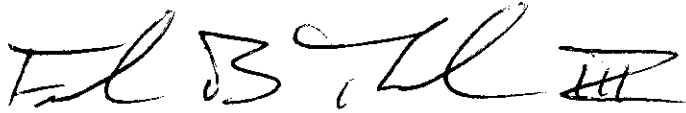
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A handwritten signature in black ink, appearing to read "F B Thacher III". The signature is written in a cursive, stylized font. The "F" and "B" are large and prominent, followed by "Thacher" and "III" in smaller script.

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Notice of Distribution

This notice confirms a copy of the document docketed as number 38 in case 2:03-CV-02649 was distributed by fax, mail, or direct printing on May 18, 2005 to the parties listed.

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Honorable J. Breen
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